

## § 884.14

program, the Rural Abandoned Mine Program administered by the Soil Conservation Service, the reclamation programs of any Indian tribes located within the States, and OSM's reclamation programs; and

(iv) Policies and procedures regarding land acquisition, management and disposal under 30 CFR part 879;

(v) Policies and procedures regarding reclamation on private land under 30 CFR part 882;

(vi) Policies and procedures regarding rights of entry under 30 CFR part 877; and

(vii) Public participation and involvement in the preparation of the State reclamation plan and in the State reclamation program.

(4) A description of the administrative and management structure to be used in conducting the reclamation program, including—

(i) The organization of the designated agency and its relationship to other State organizations or officials that will participate in or augment the agency's reclamation capacity;

(ii) The personnel staffing policies which will govern the assignment of personnel to the State reclamation program;

(iii) The purchasing and procurement systems to be used by the agency. Such systems shall meet the requirements of Office of Management and Budget Circular A-102, Attachment 0; and

(iv) The accounting system to be used by the agency, including specific procedures for the operation of the State Abandoned Mine Reclamation Fund.

(5) A general description, derived from available data, of the reclamation activities to be conducted under the State reclamation plan, including the known or suspected eligible lands and waters within the State which require reclamation, including—

(i) A map showing the general location or known or suspected eligible lands and waters;

(ii) A description of the problems occurring on these lands and waters; and

(iii) How the plan proposes to address each of the problems occurring on these lands and waters.

(6) A general description, derived from available data, of the conditions

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prevailing in the different geographic areas of the State where reclamation is planned, including—

(i) The economic base;

(ii) Significant esthetic, historic or cultural, and recreational values; and

(iii) Endangered and threatened plant, fish, and wildlife and their habitat.

(b) *Additional requirement applicable to certified States and Indian tribes.* If you are a certified State or Indian tribe, the plan must include a commitment to address eligible coal problems found or occurring after certification as required in §§ 875.13(a)(3) and 875.14(b) of this chapter.

[47 FR 28600, June 30, 1982, as amended at 73 FR 67642, Nov. 14, 2008; 75 FR 60276, Sept. 29, 2010; 80 FR 6447, Feb. 5, 2015]

### § 884.14 State reclamation plan approval.

(a) The Director shall act upon a State reclamation plan within 90 days after submittal. A State reclamation plan shall not be approved until the Director has—

(1) Held a public hearing on the plan within the State which submitted it, or made a finding that the State provided adequate notice and opportunity for public comment in the development of the plan;

(2) Solicited and considered the views of other Federal agencies having an interest in plan;

(3) Determined that the State has the legal authority, policies, and administrative structure necessary to carry out the proposed plan;

(4) Determined that the proposed plan meets all the requirements of this subchapter;

(5) Determined that the State has an approved State regulatory program; and

(6) Determined that the proposed plan is in compliance with all applicable State and Federal laws and regulations.

(b) If the Director disapproves a proposed State reclamation plan, the Director shall advise the State in writing of the reasons for disapproval. The State may submit a revised proposed State reclamation plan at any time under the procedures of this section.